

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-20148

JESSE ALBERT YOUNG,

Defendant.

ORDER HOLDING MOTION IN ABEYANCE

Before the court is Defendant Jesse Albert Young's motion to hold in abeyance his motion for a reduced sentence under 28 U.S.C. § 3582(c). Defendant filed, pro se, the § 3582(c) motion on December 13, 2011, and the court subsequently appointed counsel to review Defendant's eligibility for a reduction in sentence. Shortly thereafter, counsel for Defendant filed the instant motion to hold the matter in abeyance, indicating that he believes it hinges upon whether the Fair Sentencing Act of 2010 can be applied retroactively—a question the Supreme Court is expected to resolve in June 2012 with its decision in *Dorsey v. United States*, 132 S. Ct. 759 (Nov. 28, 2011) (No. 11-5683). The Government concurs in this request, and so the court will grant the motion. Accordingly,

IT IS ORDERED that Defendant's motion for a reduction in sentence [Dkt. # 25] is HELD IN ABEYANCE pending the Supreme Court's resolution of *Dorsey v. United States*, Case No. 11-5683. Defendant is DIRECTED to notify the court within fourteen

days after the Supreme Court issues a decision in *Dorsey*, at which point the court will schedule a telephone conference with counsel for the parties.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 31, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 31, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522